

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

STEPHEN EIMERS, as Personal Representative) of the Estate of HANNAH EIMERS, Deceased,) <i>Plaintiff,</i>)	Case No. 1:19-cv-00044
v.)	District Judge Travis R. McDonough
LINDSAY CORPORATION, <i>et al.</i> ,)	Magistrate Judge Christopher H. Steger
<i>Defendants.</i>)	

LINDSAY DEFENDANTS' MOTION TO SURVEY JURORS

Defendants Lindsay Corporation and Lindsay Transportation Services, LLC f/k/a (i) Lindsay Transportation Solutions Sales & Service, LLC and (ii) Lindsay Solutions Inc. f/k/a Barrier Systems, Inc. (collectively, "Lindsay") and respectfully seeks permission to survey the jurors in this case via telephone, pursuant to Eastern District of Tennessee Local Rule 48.1.

As grounds, Lindsay states that the parties have reached a settlement in principle (*see* Doc. 385). The trial of this matter has, therefore, been concluded. Lindsay is interested in discovering and considering the jury's impressions of various aspects of the trial, including trial witnesses, trial exhibits, and trial counsel's advocacy skills and abilities. This information would enable Lindsay and its attorneys to litigate other matters that involve similar legal and factual issues in a more cost-effective and efficient manner. To protect the individual jurors, Lindsay proposes that: (i) jurors be contacted by no more than one counsel from each side; and (ii) counsel shall inform each juror contacted that he or she is under no obligation to comment on or discuss his or her views.

While Plaintiff does not oppose the proposed method of contacting jurors described above, Plaintiff's counsel has indicated that Plaintiff is opposed to this motion insofar as it is filed prior to the settlement being finalized. However, because jurors' memories will naturally fade with the

passing of time, Lindsay respectfully requests that the Court decide this motion on an expedited basis.

Respectfully submitted,

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Lindsay Transportation Solutions Inc. f/k/a
Barrier Systems, Inc.***

CERTIFICATE OF SERVICE

I hereby certify that on **June 30, 2022**, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

MILLER & MARTIN PLLC

By: /s/ W. Randall Wilson